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Attorneys for Defendant  
PETER HE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER HE,

Defendant.

Case No. CR 08-0238 MHP

**STIPULATION AND [PROPOSED]  
ORDER FOR MODIFICATION OF  
PRETRIAL RELEASE ORDER**

In this proposed stipulated order, the parties jointly request that the Court modify the terms and conditions of defendant Peter He's pretrial release to remove the conditions of electronic home monitoring and a curfew.

Rich Sarlatte, Mr. He's pretrial services officer, has no objection to the removal of the condition of electronic home monitoring and to eliminating Mr. He's curfew.

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Therefore, for good cause shown, the Court should modify the terms and conditions of Mr. He's pretrial release to remove the condition of electronic home monitoring and to remove Mr. He's curfew. All other terms and conditions of release shall remain in place.

IT IS SO STIPULATED:

Dated: July 1, 2009

/s/: Edwin K. Prather

EDWIN K. PRATHER  
Attorney for Defendant Peter He

Dated: July 1, 2009

/s/: Owen Martikan

OWEN MARTIKAN  
Assistant United States Attorney

IT IS SO ORDERED.

Dated: July 6, 2009



**PROOF OF SERVICE**

I, Stephanie Chan, declare as follows:

I am over eighteen years of age and not a party to the within action; my business address is 899 Ellis Street, San Francisco, California 94109; I am employed in the County of San Francisco.

On July 1, 2009, I served a copy, with all exhibits, of the following documents:

**• STIPULATION AND [PROPOSED] ORDER FOR MODIFICATION OF  
PRETRIAL RELEASE ORDER**

  X   (BY FAX) By transmitting by facsimile machine to the number addressed as below; the facsimile machine I used complied with California Rules of Court, rule 2003 and no error was reported by the machine. Pursuant to California Rules of Court, rule 2006(d), I caused the machine to print a transmission record of the transmission.

  X   (BY ELECTRONIC SERVICE) I caused an electronic delivery subject to 28 U.S.C ¶1746, Local Rules or General Orders of this Court regarding Electronic Case Filing. All pleadings and papers must be electronically served in accordance with those Rules or General Orders with email address(es) as noted below:

*Via Electronic Mail*

Owen P. Martikan  
Assistant United States Attorney  
450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
owen.martikan@usdoj.gov

*Via Facsimile*

Rich Sarlatte  
United States Pretrial Services  
450 Golden Gate Avenue, 18<sup>th</sup> Floor  
San Francisco, CA 94102  
Fax: (415) 436-7517

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this declaration was executed on the above stated date.

/s/: Stephanie Chan  
Stephanie Chan